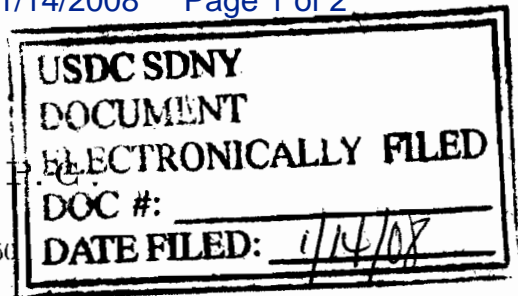


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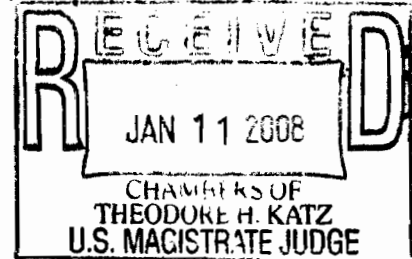
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Direct Dial



January 11, 2008

Via Facsimile

Hon. Theodore H. Katz
United States Magistrate Judge
500 Pearl Street, Room 1660
New York, NY 10007



***Re: John Petri v. Sheet Metal Workers National Pension Fund, et al.
U.S. District Court, S.D.N.Y. - 07 CIV 6142***

Dear Magistrate Judge Katz:


This letter will confirm earlier conversations with your Deputy Clerk and a clerk named Jason in your Chambers regarding a settlement conference in this matter originally scheduled for Monday, January 14, 2008. I had spoken with Chambers in early December 2007 to advise that Defendants, Sheet Metal Workers National Pension Fund, et al. (the "Fund"), did not feel, under the specific facts of this case and at least at this stage of the litigation, that a settlement conference would be a productive use of the Court's and the parties' time. I communicated the Fund's to Plaintiff's counsel, Ms. Quesada, who asserted that she wished to proceed with the conference, and I spoke with Chambers to advise them of the Fund's view.

Chambers agreed to convert the settlement conference to a telephone conference for Monday at 2:00 p.m., but Ms. Quesada advised Chambers that she would be available in person, but would not be available by phone at that time. Accordingly, Jason asked that the parties confer to suggest a future date for a conference, whether a settlement conference in New York or a telephone conference to discuss the status of the case. The parties would jointly propose a new date, at the Court's convenience and availability, possibly March 3 or March 10, 2008, again at 2:00 p.m.. In the interim, the parties will exchange documents and continue to work together in the event that a negotiated resolution of this matter proves possible.

Hon. Theodore H. Katz, U.S.M.J.
January 11, 2008
Page 2

The parties appreciate the Court's courtesy in rescheduling this matter and look forward to working with Your Honor in the future.

Very truly yours,



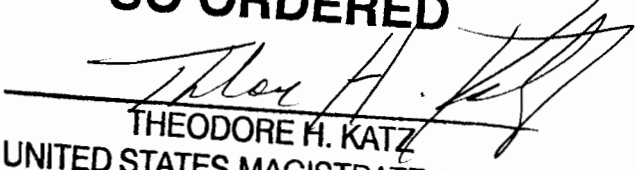
Christopher J. Schulte

cc: Victoria Quesada
Marc Rifkind

*The settlement conference is
adjourned to March 10, 2008 at
2:00 P.M.*

SO ORDERED

1/14/08


THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE